



Isaac Scharf

BGPOA Notice of Violation and Proposed Penalty | Grievance 2025-003 - Date Change

16 messages

Boca Grove Board

To: isaacscharf

Wed, Jan 22, 2025 at 6:36 PM

Dear Mr. Scharf,

Please find the attached letter which has also been sent via USPS.

Sincerely,

Boad of Directors

Boca Grove Property Owners' Association, Inc.



BOCA GROVE

21351 Whitaker Drive, Boca Raton, FL 33433

www.bocagrove.org



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6 attachments



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Boca Grove Scharf Notice of Violation and Proposed Penalty-2025-003 Date Change.pdf
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Boca Grove Scharf Notice of Violation and Proposed Penalty-2025-003.pdf
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Code of Ethics.pdf
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Isaac Scharf [REDACTED] Tue, Feb 4, 2025 at 10:27 AM
To: Boca Grove Board [REDACTED] Cathryn Vaughn [REDACTED]

Hi Cathryn,

Please consider this my official notice that I would like to be at the hearing in person, however, I will not be available in person or via other communications on Tuesday February 11th.
Please confirm receipt of this email and the new date of the hearing.

Thank you,

Isaac Scharf

[Quoted text hidden]

Boca Grove Board [REDACTED] Tue, Feb 4, 2025 at 3:33 PM
To: isaacscharf [REDACTED]
Cc: Cathryn Vaughn [REDACTED]

Good Afternoon Mr. Scharf.

As you know, your disciplinary hearing has been scheduled for February 11, 2025 between the hours 9:30 am – 1:30 pm in the West Wing at the Clubhouse. As mentioned in your prior notices, which are attached, you have the opportunity to appear in person, via telephone, or via video conference. In addition, if you are not able to appear, you may submit a written explanation of why the proposed discipline should not be imposed, which would be read to the hearing committee.

Please note, the hearing will occur as scheduled whether you appear or not. We look forward to your participation accordingly.

Board of Directors

Boca Grove Property Owners' Association, Inc.



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Isaac Scharf

To: Boca Grove Board

Cc: Cathryn Vaughn

Tue, Feb 4, 2025 at 3:46 PM

Cathryn,

I have legal right under Florida 720 to attend the hearing in person, I will not be in town and I will be traveling at those times. We have 90 days to have the hearing, so I ask you again to send me some other date options other than February 11th...

" Although the hearing will occur even if you choose not to attend, if you desire to attend and be heard by the Committee, please notify Cathryn Vaughn, at no later than noon on February 4, 2025, along with the names of anyone else that you anticipate will attend with you, if any."

Thank you,

Isaac Scharf

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Boca Grove Board

Wed, Feb 5, 2025 at 3:08 PM

To: isaacscharf [REDACTED]
Cc: Cathryn Vaughn [REDACTED]

Good Afternoon Mr. Scharf

Please note, per FS720, you are entitled to a hearing within 90 days of your first notice of violation and you have the right to attend the hearing, however there is no requirement for the hearing to be scheduled at your convenience. The pertinent section of the Statute, with emphasis added, is below for your reference:

(a) An association may suspend, for a reasonable period of time, the right of a member, or a member's tenant, guest, or invitee, to use common areas and facilities for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association. This paragraph does not apply to that portion of common areas used to provide access or utility services to the parcel. A suspension may not prohibit an owner or tenant of a parcel from having vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park.

(b) A fine or suspension levied by the board of administration may not be imposed unless the board first provides at least 14 days' written notice of the parcel owner's right to a hearing to the parcel owner at his or her designated mailing or e-mail address in the association's official records and, if applicable, to any occupant, licensee, or invitee of the parcel owner, sought to be fined or suspended. Such hearing must be held within 90 days after issuance of the notice before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. The committee may hold the hearing by telephone or other electronic means. The notice must include a description of the alleged violation; the specific action required to cure such violation, if applicable; and the hearing date, location, and access information if held by telephone or other electronic means. A parcel owner has the right to attend a hearing by telephone or other electronic means.

(c) If the committee, by majority vote, does not approve a proposed fine or suspension, the proposed fine or suspension may not be imposed. The role of the committee is limited to determining whether to confirm or reject the fine or suspension levied by the board.

(d) Within 7 days after the hearing, the committee shall provide written notice to the parcel owner at his or her designated mailing or e-mail address in the association's official records and, if applicable, any occupant, licensee, or invitee of the parcel owner, of the committee's findings related to the violation, including any applicable fines or suspensions that the committee approved or rejected, and how the parcel owner or any occupant, licensee, or invitee of the parcel owner may cure the violation, if applicable, or fulfill a suspension, or the date by which a fine must be paid.

Per the notice below, your hearing has been scheduled for **Tuesday, February 11, 2025** between the hours of 9:30 am – 1:30 pm in the West Wing at the Clubhouse. We have confirmed the time of **12:30 pm** for your portion of the hearing. As mentioned in your prior notices, you have the opportunity to appear in person, via telephone, or via video conference. In addition, if you are not able to appear, you may submit a written explanation of why the proposed discipline should not be imposed, which would be read to the hearing committee. Attached please find information on the hearing process for your convenience.

Please note, the hearing will occur as scheduled whether you appear or not. We look forward to your participation accordingly.

Respectfully,

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 BGPOA - Revised 2024-July.pdf
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Isaac Scharf [REDACTED]
To: Boca Grove Board [REDACTED]
Cc: Cathryn Vaughn [REDACTED]

Thu, Feb 6, 2025 at 5:37 PM

Hi Cathryn,
Thank you for your response regarding the scheduled grievance hearing. While I understand the importance of holding the hearing within 90 days, I am requesting that it be rescheduled to March 11, 2025, as I will be in town and available to attend in person. Florida law requires the HOA to act in good faith toward its members (Good Faith Obligation of the HOA (FS 720.303 & FS 617.0830)) and to enforce rules fairly and transparently.

A refusal to reasonably adjust the hearing date to ensure my full participation could be considered bad faith enforcement, which is subject to review by the Florida Department of Business and Professional Regulation (DBPR).
 Given the severity of the proposed penalty (90-day suspension), it is only reasonable that the hearing be scheduled at a time when I can properly participate in my defense.
 Given the seriousness of this matter, I believe it is in everyone's best interest to allow me the opportunity to be fully present and prepared. This additional time will also ensure that I have the ability to properly review the documents that were requested via certified mail in advance of the hearing.
 I appreciate the clubs cooperation in working toward a fair and transparent process and look forward to your confirmation of the updated date.
 Best regards,
 Isaac Scharf

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Boca Grove Board

Thu, Feb 6, 2025 at 8:42 PM

To: isaacscharf [REDACTED]
 Cc: Cathryn Vaughn [REDACTED]

Good Evening Mr. Scharf,

Thank you for your email.

Please note, that while we do not agree with your legal argument, we are willing to accommodate your request to hold the hearing on Tuesday, March 11, 2025, as due to the sensitive nature of this particular matter, the Hearing Panel prefers your in person attendance.

Please note also we will not accommodate any further requests to extend, adjust nor modify the date and time scheduled, which is 9:30am on Tuesday, March 11, 2025.

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Isaac Scharf

Fri, Feb 7, 2025 at 12:27 PM

To: Boca Grove Board [REDACTED]
 Cc: Cathryn Vaughn [REDACTED]

Thank you for your response. I'll see you on March 11th

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Mailtrack Reminder

Sat, Feb 8, 2025 at 12:27 PM

Reply-To: [REDACTED]

To: [REDACTED]

Your email to [REDACTED] and one other recipient has not been opened yet. Snooze for [24H](#), [48H](#) or [72H](#) ([disable](#))

Boca Grove Board

Sun, Feb 9, 2025 at 9:49 AM

To: isaacscharf [REDACTED] Boca Grove Board [REDACTED]
 Cc: Cathryn Vaughn [REDACTED]

Good Morning Mr. Scharf.

Your response for March 11, 2025 has been received. Thank you

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Isaac Scharf

Mon, Feb 10, 2025 at 9:25 AM

To: Ross Kevin [REDACTED]

[Quoted text hidden]

Isaac Scharf

Tue, Feb 11, 2025 at 11:55 PM

To: [REDACTED]

----- Forwarded message -----

From: **Boca Grove Board** <[REDACTED]>
 Date: Wednesday, January 22, 2025
 Subject: BGPOA Notice of Violation and Proposed Penalty | Grievance 2025-003 - Date Change
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Isaac Scharf

Sun, Mar 9, 2025 at 11:10 PM

To: Boca Grove Board

Cc: Cathryn Vaughn

Good evening.

To whom this may concern;

Below is my witness list for my upcoming grievance hearing on Tuesday, March 11th at 9:30am.

- Kevin Ross
- Shlomo Goldman
- Jake Adams
- Rabbi Yaakov Gibber
- Geoffrey Newman (Board member)
- I'm assuming the club's employees that were involved will be there too(Rob and Dan)

Also, does the club record the grievance committee hearing? If the club does not, am I allowed to record it myself?

Sincerely,

Isaac Scharf

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Boca Grove Board

Mon, Mar 10, 2025 at 12:26 PM

To: isaacscharf

Cc: Cathryn Vaughn

Dear Mr. Scharf.

Thank you for your requested witness list.

As a reminder, the purpose of the hearing is for you to have the opportunity to show cause why the proposed discipline should not be imposed. This means that you may speak, and you may provide information you believe supports your position.

Individuals who were physically present may be permitted to speak, at the discretion of the hearing panel, but those who were not physically present or who have already been heard by the hearing panel will not have an opportunity to speak, unless otherwise determined to be necessary by the hearing panel.

Additionally, BGPOA does not record nor allow recording of any grievance hearing proceedings.

Please refer to the attached document with further information on hearing etiquette and inform your witnesses accordingly.

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 **BGPOA - Revised 2024-July.pdf**
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Isaac Scharf

Mon, Mar 10, 2025 at 12:34 PM

To: Boca Grove Board

Cc: Cathryn Vaughn

Thank you for the information. See you tomorrow.

Best,
Isaac

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Mailsuite Reminder

Tue, Mar 11, 2025 at 12:34 PM

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